

Newport Town Council  
Meeting Minutes  
November 15, 2018

Pledge of Allegiance.

Meeting was called to order at 7:00 pm by Mayor Michael Spencer. He announced that the meeting was in compliance with the Delaware Open Meeting Act.

Attendance: Mayor Michael Spencer, Vice Mayor John Joswick, Town Manager Wendy King, Commissioner Tim Chatburn, Commissioner Florence Czerwinski, Acting Police Chief Mark Wohner, Solicitor Chris Griffiths. Commissioner CarolAnn Gretz was absent.

Minutes from the October 18, 2018, meeting were approved via motion by Vice Mayor Joswick and seconded by Commissioner Chatburn. All ayes.

Public Comment - Bill Lower, Harvey Hanna & Associates, announced that Operation Warm would happen over the weekend. Operation Warm is a campout event that will assist economically fragile children by providing coats. Richey School was the recipient last year and this year, three additional schools will be receiving coats as well. Nearly \$25,000 has been raised for this event. In addition to the coats, Richey School will also have a food pantry established.

Correspondence - DE Bike Grant. Town was the recipient of a \$20,000 grant to conduct a feasibility study on whether a connecting bike path at the industrial park to the new Markell trail would be beneficial. The town will be responsible for any amount over \$20,00 to do the study and while it was agreed that the town could do an additional \$10-\$15K, more details were needed to determine if the town believed it was money that could be spent on such a project. Mr. Lower, Harvey Hanna, believed that a scope of work should be submitted to determine potential costs and that he did not believe much would be left for the town and the process could be lengthy because of the state and federal approvals that would need to be obtained. Mayor Spencer had a meeting with the state representatives/senators for our area and all were willing to put forth CTI funding for this project.

Town Manager King reviewed her monthly report. Sprint has reached out to expand their range on the monopole and has submitted drawings to her. They were going to forward their renegotiated lease offer separately. October budget notes were reviewed. Holiday closings. Former resident sent some town memorabilia to the town for our archives.

Acting Police Chief Wohner reviewed the departmental statistics for October, 2018. He advised that there was a tentative offer made to a certified police officer to start in early January, 2019, and that there would be a new hire starting the New Castle County Police Academy in December, 2018.

Alderman's Report - \$28,122 collected for October, 2018.

Mayor Spencer questioned if the collected amount for court was largely based on being two officers down. Acting Chief Wohner agreed and added that people are not paying because their driver's licenses are not being

affected by lack of payment. Holding trials in our court could be a viable solution to that issue to have a day of arraignment and scheduling trials for those not taking pleas on an officer's day work. He explained to the commissioners that the attorney general's office does not prosecute Newport cases if the defendants are not taking a plea - those cases are just being dismissed altogether. More information needs to be obtained about the process and startup.

Maintenance Report - no questions.

Code Enforcement - no report.

Legal - Solicitor Griffiths received at least 12 FOIA requests from the same individual who has threatened litigation against the town, so going forward, any FOIA requests received from this person will be reviewed on a case-by-case basis and most likely denied because the person could use the information received from us against us. If a lawsuit is to ensue, that person can obtain the requested information through the discovery process. He handled two small issues for the police department. Ten notices of property lien have been filed against delinquent tax payers. Letters will be sent to follow up and notify that they can make arrangements for payment. Liens will stay in place for three years. Looking into monition process.

Mayor's Report - Lighting on the bridge will be addressed through an amendment to the agreement. Lighting trunches will not stop construction, but a meeting with the county to discuss responsibility will happen in the near future.

New Business: FY2019 General Operating Budget, First Reading. There were very little changes overall. No tax increase will be implemented, but calculations were provided to show increase at 3%, 4% and 5% on random assessments. Narrative will be entered into the record as will the spreadsheet. Police income was a point of discussion based on current staffing level which will stay the same as least for the quarter of 2019.

Funds will be transferred to capital account prior to the end of 2018, as will police pension funds (used prior to pay back buy-in to the state pension for the police department) transferred to the General Fund to offset police department expenses.

Acting Chief Wohner mentioned that he did go to bus yard to discuss drivers not using Walnut and Ayre Streets to return to the yard to avoid traffic around the square.

Motion to approve FY2019 first reading - Mayor Spencer; second - Commissioner Chatburn. Roll call vote - all ayes.

Motion to adjourn - Mayor Spencer; second - Vice Mayor Joswick

Meeting adjourned at 8:07 pm.

AMENDED: Mayor Spencer tasked the solicitor and town manager to find an ordinance regarding the tax increase of 2015 that allegedly noted how the tax increase was to be spent. Solicitor Griffiths advised that the document was not included in the many boxes of town items forwarded from the prior solicitor. He offered to reconstruct the ordinance.

